IN THE UNITED STATES DISTRICT COURT WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

CHESTER T. KALINOSKI,)
Plaintiff,)
v.) CIVIL ACTION NO.: 7:12-cv-00608
NEW ENGLAND COMPOUNDING PHARMACY, INC. D/B/A NEW ENGLAND COMPOUNDING CENTER,)))
MEDICAL SALES MANAGEMENT, INC.,))
and)
BARRY J. CADDEN,)
Defendants.))

NOTICE OF STAY BY REASON OF BANKRUPTCY

The defendant, New England Compounding Pharmacy, Inc. d/b/a New England Compounding Center ("NECC"), hereby notifies the Court that NECC filed a voluntary petition under Chapter 11 of Title 11 of the United States Bankruptcy Code in the United States Bankruptcy Court for the District of Massachusetts (Eastern Division) No. 12-19882-HJB. Pursuant to 11 U.S.C. § 362(a) all actions against NECC are stayed.

Respectfully submitted, Defendant New England Compounding Pharmacy, Inc. By its Attorneys,

/s/

Rebecca S. Herbig Bowman and Brooke LLP 1111 East Main Street, Suite 2100

Richmond, VA 23219 Telephone: 804.649.8200

Facsimile: 804.649.1762 E-mail: rebecca.herbig@bowmanandbrooke.com

Date: December 26, 2012

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of foregoing Notice of Stay by Reason of Bankruptcy was filed via CM/ECF on this 26th day of December, 2012, which will send a Notice of Electronic Filing (NEF) to the following:

J. Scott Sexton (VSB No. 29284) Anthony M. Russell (VSB No. 44505) Charles H. Smith, III (VSB No. 32891) Benjamin D. Byrd (VSB No. 76560) Daniel R. Sullivan (VSB No. 81550) GENTRY LOCKE RAKES & MOORE, LLP 10 Franklin Road, S.E., Suite 800 P.O. Box 40013 Roanoke, Virginia 24022-0013 Telephone: (540) 983-9300 Fax: (540) 983-9400 sexton@gentrylocke.com russell@gentrylocke.com sullivan@gentrylocke.com Counsel for Plaintiff

/s

Rebecca S. Herbig (VSB No. 65548) BOWMAN AND BROOKE LLP 1111 East Main Street, Suite 2100 Richmond, VA 23219

Telephone: 804.649.8200 Facsimile: 804.649.1762

rebecca.herbig@bowmanandbrooke.com Counsel for New England Compounding Pharmacy, Inc., d/b/a New England Compounding Center